

Remarks

Reconsideration and allowance of the present application in view of the following remarks and amendments are respectfully requested. Claims 36-40, 42-44, 48-55, 57, and 59-67 are pending in the application, with Claims 50-53, 60, 61, 63, and 64 allowed. Claim 58 has been canceled. Claims 36, 49, 62, and 67 have been amended to more clearly recite the present invention.

Claims 36-40, 43, 44, and 48 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Sauer '300 in view of Ahr '069. Claim 42 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Sauer '300 in view of Ahr '069 and Chen '865. Regarding Claim 36, the Examiner asserts that Sauer '300 discloses all aspects of the claimed invention with the exception of the additional strip of material having openings formed therethrough, and that Ahr '069 discloses a liquid distribution layer having a plurality of funnel-shaped openings.

The Applicants respectfully submit that the cited combination does not disclose each and every element of Claim 36 as currently amended. The Applicants have amended Claim 36 to more clearly recite that the openings in the additional strip of material "are spaced from each other by a central area of the portion which is devoid of such formed openings." This limitation is most clearly illustrated in Figures 6-8 and described in paragraphs 0048 and 0049 of Patent Application Publication US 2001/0027305. Neither Sauer '300 nor Ahr '069 disclose an additional strip of material having a central area devoid of openings as recited in Claim 36. For at least this reason, Claim 36 patentably defines over the cited combination. Therefore, the

Applicants respectfully request that the rejection of Claim 36, and all claims dependent therefrom, be withdrawn.

Additionally, the Applicants respectfully request clarification of the rejection for Claim 43. As previously urged by the Applicants in response to the Office Actions dated November 20, 2002 and May 21, 2003, Claim 43 recites a higher liquid retention capacity per unit area in one or both of the front area or the rear area than in the central area. This per unit area limitation is most clearly illustrated in Figures 2 and 6 and described in paragraph 0043 of Patent Application Publication US 2001/0027305. The Applicants do not understand the Examiner's statement that "it is possible to define the front and rear areas such that the claimed limitations are met," as stated on page 9 of the most recent Office Action dated May 5, 2004. Although the cited references may disclose a total liquid retention capacity of the front or rear areas that is greater than the total liquid retention capacity of the central area based on differences in sizes of the areas, none of the cited references disclose a higher liquid retention capacity per unit area in one or both of the front area or the rear area than in the central area as recited in Claim 43. For at least this reason, Claim 43 patentably defines over the cited combination, and the Applicants respectfully request that the rejection of Claim 43 be withdrawn.

Claims 49, 54, 55, 57-59, and 66 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Gilman '653 in view of Ahr '069. The Examiner asserts that Gilman '653 discloses all aspects of the claimed invention with the exception of an uppermost layer, and that Ahr '069 discloses an uppermost layer.

The Applicants respectfully submit that the cited combination does not disclose each and every element of Claim 49 as currently amended. The Applicants have amended Claim 49 incorporate limitations previously recited by Claim 58. Claim 49 now recites that the discrete passages are “disposed exclusively in one or both of the front area and the rear area of the absorbent article whereby the central area is devoid of the discrete passages.” This limitation is most clearly illustrated in Figures 6-8 and described in paragraphs 0048 and 0049 of Patent Application Publication US 2001/0027305. Neither Gilman '653 nor Ahr '069 disclose a central area devoid of the discrete passages as recited in Claim 49. For at least this reason, Claim 49 patentably defines over the cited combination. Therefore, the Applicants respectfully request that the rejection of Claim 49, and all claims dependent therefrom, be withdrawn.

Additionally, the Applicants respectfully request clarification of the rejection for Claim 54. As previously urged by the Applicants in response to the Office Actions dated November 20, 2002 and May 21, 2003, Claim 54 recites a higher liquid retention capacity per unit area in one or both of the front area or the rear area than in the central area. This per unit area limitation is most clearly illustrated in Figures 2 and 6 and described in paragraph 0043 of Patent Application Publication US 2001/0027305. The Applicants do not understand the Examiner’s statement that “it is possible to define the front and rear areas such that the claimed limitations are met,” as stated on page 9 of the most recent Office Action dated May 5, 2004. Although the cited references may disclose a total liquid retention capacity of the front or rear areas that is greater than the total liquid retention capacity of the central area based on differences in sizes of the areas, none of the cited references disclose a higher liquid retention capacity per unit

area in one or both of the front area or the rear area than in the central area as recited in Claim 54. For at least this reason, Claim 54 patentably defines over the cited combination, and the Applicants respectfully request that the rejection of Claim 54 be withdrawn.

Claims 62 and 65 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Gilman '920 in view of Ahr '069. The Examiner asserts that Gilman '920 discloses all aspects of the claimed invention with the exception of funnel-shaped openings, and that Ahr '069 discloses funnel-shaped openings that taper inwardly.

The Applicants respectfully submit that the cited combination does not disclose each and every element of Claim 62 as currently amended. The Applicants have amended Claim 62 to recite that the discrete passages are "disposed exclusively in one or both of the front area and the rear area of the absorbent article whereby the central area is devoid of the discrete passages." This limitation is most clearly illustrated in Figures 6-8 and described in paragraphs 0048 and 0049 of Patent Application Publication US 2001/0027305. Neither Gilman '920 nor Ahr '069 disclose a central area devoid of the discrete passages as recited in Claim 62. For at least this reason, Claim 62 patentably defines over the cited combination. Therefore, the Applicants respectfully request that the rejection of Claim 62, and all claims dependent therefrom, be withdrawn.

Claim 67 stands rejected under 35 U.S.C. 102(e) as being anticipated by Johnston '954. The Applicants have amended Claim 67 to recite a higher liquid retention capacity per unit area in one or both of the front area or the rear area than in the central area. This per unit area limitation is most clearly illustrated in Figures 2 and

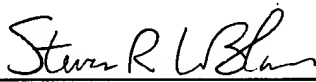
6 and described in paragraph 0043 of Patent Application Publication US 2001/0027305.

This additional limitation is not found in Johnston '954. For at least this reason, Claim 67 patentably defines over the cited reference. Therefore, the Applicants respectfully request that the rejection of Claim 67 be withdrawn.

For at least the reasons discussed above, the Applicants respectfully submit that the claims patentably define over the cited references. As such, it is believed that the present application is in complete condition for allowance and favorable action, therefore, is respectfully requested. Should any issues remain after consideration of this amendment, then Examiner Anderson is invited and encouraged to telephone the undersigned at her convenience.

Respectfully submitted,

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